

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

WENDELL M. ARMSTEAD, JR.,

Plaintiffs,

v.

RONALD HAYNES, *et al.*,

Defendants.

CASE NO. 3:20-cv-05327-JCC-JRC

SCHEDULING ORDER

The Court has reviewed the parties' Joint Status Report (Dkt. 68) and schedules this case for a five-day jury trial on **March 6, 2023, at 10:00 a.m. before the Honorable John C.**

Coughenour, Courtroom 16206 with the following pretrial schedule:

Event	Date
Deadline for joining additional parties	January 31, 2022
Deadline for amending pleadings	February 14, 2022
Plaintiff's expert disclosures under Fed. R. Civ. P. 26(a)(2)	July 22, 2022
Defendant's expert disclosures under Fed. R. Civ. P. 26(a)(2)	July 22, 2022

1	Rebuttal expert disclosures	August 5, 2022
2	All motions related to discovery must be noted on the motion calendar no later than the Friday before discovery closes pursuant to LCR 7(d) and LCR 37(a)(2)	
3	Discovery motions must be filed no later than	September 15, 2022
4	Discovery completed by	October 7, 2022
5	All dispositive motions must be filed by (<i>see</i> LCR 7(d))	November 4, 2022
6	All motions in limine must be filed by this date and noted on the motion calendar no later than the second Friday after filing.	January 26, 2023
7	Motions in limine raised in trial briefs will not be considered.	
8	Agreed LCR 16.1 Pretrial Order due	February 3, 2023
9	Trial briefs, proposed voir dire, jury instructions and exhibits by	March 3, 2023
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12 This order sets firm dates that can be changed only by order of the Court, not by
13 agreement of counsel for the parties. The Court will alter these dates only upon good cause
14 shown. Failure to complete discovery within the time allowed is not recognized as good cause.
15 If any of the dates identified in this Order or the Local Civil Rules fall on a weekend or federal
16 holiday, the act or event shall be performed on the next business day.

17 If the trial dates assigned to this matter creates an irreconcilable conflict, counsel must
18 notify Deputy Clerk Kelly Miller at Kelly_miller@wawd.uscourts.gov, within 10 days of the
19 date of this Order and must set forth the exact nature of the conflict. A failure to do so will be
20 deemed a waiver. Counsel must be prepared to begin trial on the date scheduled, but it should be
21 understood that the trial may have to await the completion of other cases.

22 Trial Procedures

23 **1. Jury Instructions.** Jury instructions should be numbered sequentially. Counsel
24 should submit two copies of proposed jury instructions, one with citations and one without, and

1 should send electronic copies of the instructions to the chambers orders inbox at
 2 coughenourorders@wawd.uscourts.gov. Counsel is advised that the Court relies primarily on the
 3 Ninth Circuit Manual of Model Jury instructions, available at [http://www3.ce9.uscourts.gov/jury-](http://www3.ce9.uscourts.gov/jury-instructions/model-civil)
 4 instructions/model-civil. The Court will rarely, if ever, deviate from the model instructions'
 5 language. Counsel should refer to the filing instructions in LCR 51(h) for further instruction on
 6 Joint Instructions and Joint Statements of Disputed Instructions.

7 **2. Trial exhibits.** The Court must receive all trial exhibits by the date noted above.

8 All trial exhibits must be pre-marked by counsel. Exhibit tags can be obtained from the Clerk's
 9 Office. Plaintiff's exhibits shall be numbered consecutively starting with number 1.
 10 Defendant's exhibits shall be numbered consecutively starting with number A-1. Duplicated
 11 documents shall not be listed twice on the exhibit list. **Once a party has identified an exhibit**
 12 **on the exhibit list or in the pretrial order, any party may use it. Each set of exhibits shall**
 13 **be submitted in a three-ring binder with appropriately numbered tabs. This original, and**
 14 **one copy, should be delivered to the in-court clerk on the morning of trial.** If the exhibit list
 15 is revised at any time after it is filed with the Court, counsel shall file a revised exhibit list.
 16 Technology training is strongly encouraged.

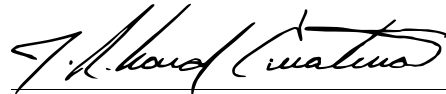
17 **Discovery and Settlement**

18 As required by LCR 37(a), all discovery matters are to be resolved by agreement if
 19 possible. Counsel shall also cooperate in preparing the agreed pretrial order in the format
 20 required by LCR 16.1.

21 If this case settles, plaintiff's counsel shall notify Kelly Miller via e-mail at
 22 Kelly_Miller@wawd.uscourts.gov, as soon as possible. Pursuant to LCR 11(b), an attorney who
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1 fails to give the Deputy Clerk prompt notice of settlement may be subject to such discipline as
2 the Court deems appropriate.

3 DATED this 24th day of November, 2021.

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5 J. Richard Creatura
6 Chief United States Magistrate Judge
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